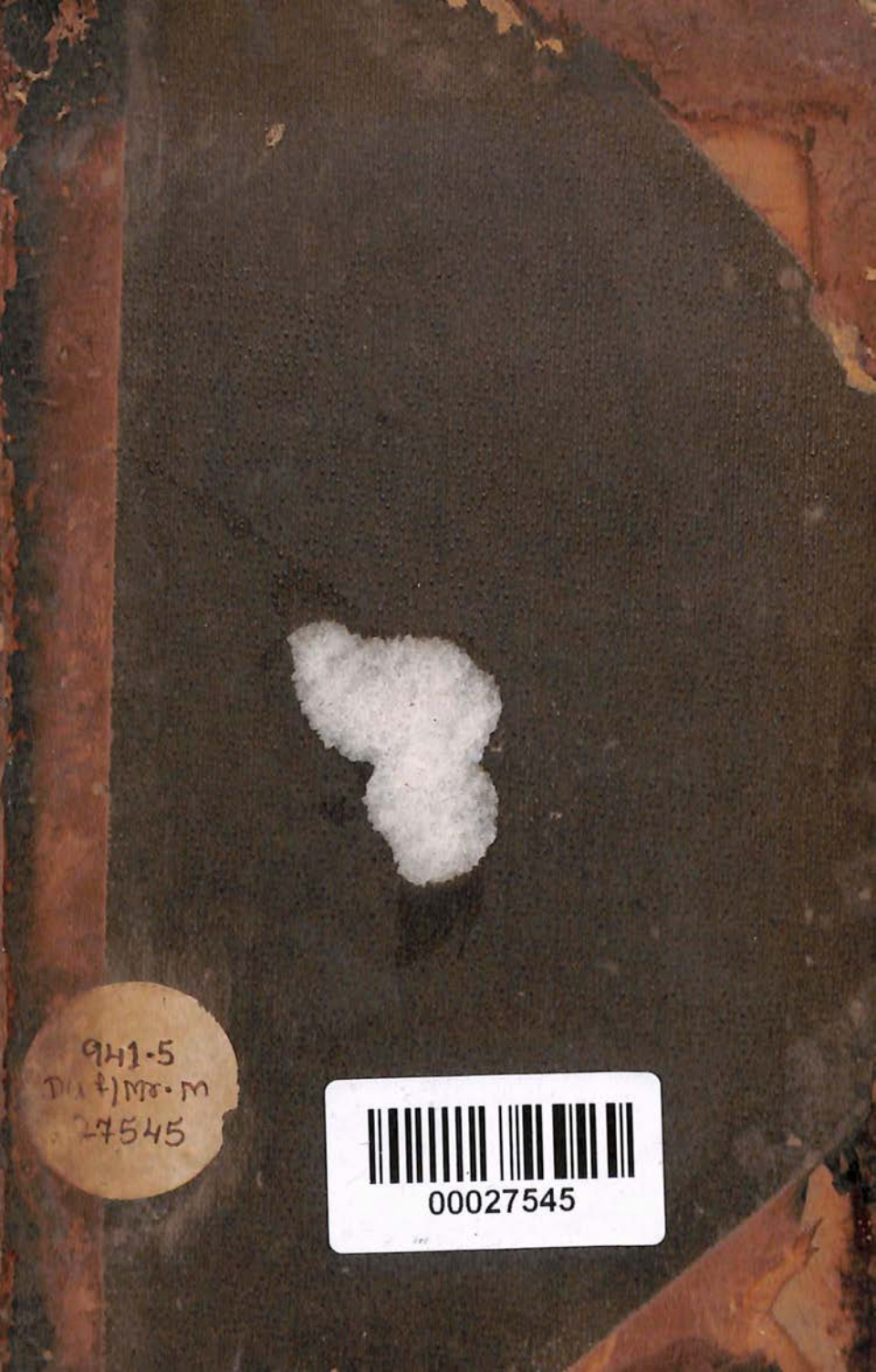
941·5
27545
00027545

BOMBAY BRANCH

OF THE

Royal Asiatic Society.

Digitized with financial assistance from the
Government of Maharashtra
on 26 June, 2018

MR. MILL'S PLAN

FOR

THE PACIFICATION OF IRELAND

EXAMINED.

BY LORD DUFFERIN

27545

00027545

LONDON:
JOHN MURRAY, ALBEMARLE STREET.
1868.

LONDON: PRINTED BY
SPOTTISWOODE AND CO., NEW-STREET SQUARE
AND PARLIAMENT STREET

PREFACE.

ALTHOUGH many questions connected with Ireland are occupying the attention of the public, I have, for obvious reasons, avoided alluding to any of them in the following pages.

I cannot, however, let this humble contribution to the mass of ephemeral literature which the present political state of Ireland has evoked, go forth to the public, without expressing a hope that Parliament will at last make up its mind to satisfy the legitimate aspirations of the great bulk of the Irish nation.

The most vital, the most important of these, is the establishment of Religious Equality on the broadest basis. In the recognition of this principle will be found the resolution of most of our difficulties.

Notwithstanding the untoward symptoms which have of late appeared in Ireland, I feel no alarm as to the real condition of the country. Our material prosperity is steadily, though slowly, advancing. If external influences have unsettled the minds of the least enlightened portion of our fellow-countrymen, the sympathies of the educated classes, no matter of what creed or party, are more completely in harmony with those prevailing in the sister kingdom than they have been for the last fifty years. Opinions which recommend themselves to

the approval of the most intelligent sections of the nation cannot for ever remain unshared by the rest of the community, and the unmistakable yearning of public opinion in England towards Ireland must eventually touch the hearts of a sensitive people.

If, further, something could be offered to satisfy the craving of a proud nation for some visible sign of its corporate existence,—to be at once a gratification to its affections and to its imagination,—if some of those gracious influences, which history tells us have so often reawakened the loyalty of a discouraged people, were shed abroad upon the hearts of the gentlest and the bravest race in Europe;—if, when Parliament shall have fulfilled its task,—one Fair Presence would but show herself on Ireland's unfrequented shore, the foul phantom of an alien disaffection, which has found a temporary lurking place within our pale, would flee beyond the western horizon as fly the shadows of night before the face of Dawn.

MR. MILL'S PLAN

FOR

THE PACIFICATION OF IRELAND

EXAMINED.

MR. MILL has recently submitted to the consideration of the public a plan for the pacification of Irish discontent.

Whatever proceeds from the pen of so great an authority will command the attention of his fellow-countrymen, and the fact of his suggestions being out of harmony with prevailing prejudices must be accepted as a characteristic common to all original ideas.

His proposal is a simple one, and may be described in a few sentences. The landed estates of all the proprietors of Ireland are to be brought to a forced sale. Their price is to be fixed at the discretion of parliamentary commissioners. Should the rent-roll of any estate be above the figure which may recommend itself to the approval of these gentlemen, it will be reduced to more legitimate proportions, and its owner compensated on the amended valuation. The vacated properties will then be handed over to that section of the Irish agricultural class who may happen to be in the occupation of farms at the moment the projected Act receives the Royal assent, and the accruing quit-rents will thenceforth be collected through the instrumentality of Government land-agents, Government bailiffs, and Government process-servers.

Certain stipulations against subletting are to be enforced for a limited period against the new proprietors; for the

infraction of which they will, I presume, be prosecuted in the courts of law at the public expense, by Government officials appointed *ad hoc*.

So many of the present owners as may happen to have land in their own hands, will be allowed to retain possession of it, at all events until further notice, but all existing leases or other terminable contracts will be overridden by the new settlement.

Whether perpetuity of possession is to be extended to the conacre cultivator and cottier subtenants of the Irish peasantry, Mr. Mill does not mention, but as they amount to several hundred thousand persons, their future status will be worthy of his consideration.

There is one other important point with respect to which it is desirable Mr. Mill should explain himself in any further exposition of his views; viz. whether in future the aggregation of landed property in Ireland, and the re-creation of tenancies, is to be a legal or a criminal proceeding; and, on the latter supposition, what is to become of the peasant proprietor who, from sickness, infancy, or any temporary impediment, is unable to cultivate his own land, and is forbidden by the law to sublet it.

Having thus stated the leading features of Mr. Mill's proposition, I shall venture to point out some objections which may be preferred against them. In using this freedom I hope no apology will be thought necessary. Under other circumstances I should have hesitated to enter the arena with so august an antagonist; but when your house is broken into, you have no time to examine whether the intruder's thews are mightier than your own. You close with him on the spot. Even should he prove to be a policeman in plain clothes, you may be excused for assuming an attitude of self-defence.

However strenuous my opposition to Mr. Mill's views, I shall endeavour to review them with equanimity. Unfortunately, Mr. Mill has communicated his opinions in language calculated to irritate the susceptibilities of the class with whose most cherished interests he deals so freely. This is to be regretted on every account. In discussing the

limits of property in land, or the policy of transferring the management of that property from private individuals to the State, or from large landholders to peasant proprietors, it was quite beside the question to stigmatise the former as 'drones,' while the implied application of such expressions to thousands of educated gentlemen, including most of the representatives of Ireland, is unjust. It has often been my duty, as member of a Private Bill Committee, to listen to counsel, showing cause why some landholder's lawns or pleasure-grounds should be sacrificed to the exigencies of public traffic, but I never remember the sufferer's moral obliquities, and still less those of the previous possessor, being adduced as an additional reason for cutting his park in two with a canal or railway. A little reflection will show that much inconvenience might arise if the tenure of property were made dependent, not on deeds of sale, but on testimonials to the owner's virtue, or that a man should only enjoy his estate 'during good behaviour.' On the other hand, it must be admitted, if the amount of virtue necessary to render a citizen capable of holding property is to be determined by his less affluent fellow-countrymen, a very lofty standard of morality will probably be adopted.

Without therefore stopping to enquire how far the criminal conduct of the landholders in Ireland may have vitiated their title-deeds, we will examine the more serious argument by which Mr. Mill would justify the procedure he proposes.

Mr. Mill states, that 'because land is a thing which no man made, which exists in limited quantity, which was the original inheritance of all mankind, which, whoever appropriates, keeps others out of its possession,' it is competent for Parliament to deal with private estates in land in whatever manner may prove most conducive to the well-being of the community.

If there is truth in this principle, its application must be extended. When God contrived this world for man's habitation, He did not limit his possession of it to a few inches of its surface. Its wealth of waters, its secret stores of gold and silver and precious stones, its fields of

buried fuel, were equally left to reward the industry and ingenuity of our race. On the theory invoked by Mr. Mill, the subordination to imperial exigencies of an individual's property in a coal-mine or mill-dam, would be as complete as in the case of a corn-field. Nay, even a man's house or manufactory would be overridden by the same liabilities, for though transmuted by human labour into artificial shapes, the materials out of which they were constructed are but the original raw material, 'which, whoever appropriates, keeps others out of its possession;' nor will this be found a forced application of the principle when we remember, that the conversion of a brick-field, or of a stone quarry, into a street or palace, is hardly a less magical transformation than that of a Lincolnshire fen, or a lagoon of Holland, into tracts of golden wheat-land. Mr. Proudhon's pithy sentence, *La propriété c'est le vol*, as extended to every description of property, is a more logical expression of opinion than Mr. Mill's limited application of it to the landed estates of the country gentlemen of Great Britain and Ireland. Nor in practice has the State ever consented to recognise the greater immunity from parliamentary interference of one description of property as compared with another. A Committee of the House of Commons will send a railway through a householder's parlour with the same impartiality as through his neighbour's kitchen-garden. Probably in time of war, or any such public emergency, the principle would be extended to horses and chattel property. Indeed, Mr. Mill himself *acts* on this broader basis, for he sweeps into the maw of his commission not only our estates, but the farmhouses and cottages we have built upon them.

There is one important limitation, however, to this imperial supremacy; viz. that so violent an interference with private rights can only be insisted on under the plea of a paramount and indisputable necessity, which the bulk of the community agree in acknowledging, otherwise it is calculated to provoke a Civil War.

Mr. Mill and a very able writer in the 'Spectator' think that they have obviated all reasonable objection on the part of the landlords by their scheme of compensation. No doubt

Mr. Mill has shown his superiority to less able, or less thoughtful, writers by recognising the fact, that the moment the State compels a landlord to fix a particular individual in the permanent or quasi-permanent occupation of a farm, it becomes, *ipso facto*, responsible for the rent. If the State forces me into a bargain with a man in whom I have no confidence, the State is bound to see that he keeps it.

A farm of 100 acres has become subdivided into twenty cottier tenancies under an old lease. A certain proportion of these occupiers are industrious, responsible persons, others are drunken, or idle, or half-bankrupt already. The lease drops. If the landlord continues the subtenants in their holdings, he does so on his own responsibility; if they go to the bad or annihilate the productive powers of the soil by infamous farming, it is his own look-out; but if the State intervenes, and says, 'You shall leave everyone of these people in occupation of their farms for the next twenty, fifty, or hundred years, instead of dividing the land amongst those of them who have the skill and capital to cultivate it,' the State must bear the consequences should the result be disastrous.

This Mr. Mill admits; but, very needlessly, he would reserve to the present landlords the option of retaining possession of the head rents of their vacated properties, if they should prefer that arrangement to a payment in Consols.

In other words, he offers them a mortgage of which the annual interest amounts to the total rental of the estates on which it is secured. If Mr. Mill intended to invest a sum of money on land in Ireland, he would certainly not think himself safe, unless the annual income of the property exceeded by one-half, or at least one-third, the payments accruing to himself. Does he imagine Irish landlords would be less particular in such a respect than other men? Still it is a great matter that Mr. Mill should have seen what Mr. Butt and others have not cared to see, that the same field cannot belong to two persons, and that if peasant proprietors are to be established in Ireland, the present owners of Irish landed property must be got rid of.

But even supposing this operation be effected on the most liberal terms, the process must partake, in most instances, of the nature of confiscation.

You might as well hope to convert a living oak into charcoal, without waste of its substance, as to sublime the landed estates of a kingdom into Government Stock without a very sensible loss to the owners.

In valuing a property, the only possible basis of calculation will be, either the actual or the estimated rental. This principle would at once expunge all claims adduced by the proprietor on account of his past unproductive expenditure. But there are few owners of land in Ireland who have not spent thousands in improvements of this description. On an estate with which I am acquainted, 40,000*l.* has been sunk during the last twenty years, without a penny having been added to the rent-roll. The general condition of the property has been improved, the status of the tenants has been raised, the future prospects of the neighbourhood have been enhanced; but only a very keen or practised eye, acquainted with the former condition of the town-lands, would be able to detect a tithe of what has been expended. The sacrifice was made, not as an economical speculation, but from those natural motives which Mr. Mill has so well described as the source of all improvement.

Take the case of labourers' cottages. Each of them may have cost, say 100*l.*—and a really decent cottage with three bedrooms can scarcely be built for less. By rights, the owner should receive a rent of 6*l.* 10*s.* on each, but the agricultural labourer can only afford to pay him 2*l.* 10*s.* The landlord is content to lose the difference, from the pride he takes in having good cottages on his property, and from the prospect of advantage they will insensibly confer on his tenantry, and on the country at large.

But of such considerations as these no commission could take cognizance; it would measure his claims to compensation, not by his expenditure, but by the revenue it produced.

The same observations would apply to the millions of money sunk by Irish landowners during the last fifty years in the building of schools, in the making of roads, in contri-

butions to churches and public institutions, in the reduction of rents, in the obliteration of arrears, and in assistance to emigrants; in fact, to every description of expenditure which they were induced to undertake from the expectation that the estates for the sake of whose improvement they were making these sacrifices would remain in their possession.

Again, it appears to be part of Mr. Mill's plan to leave the present landlords in possession of so much of their properties as may happen to be in their own hands, including, I presume, their houses and parks. This may prove a very questionable boon. Few people would have expended large sums of money in erecting mansions in remote counties of Ireland, unless as adjuncts to their landed estates. An overgrown villa in Connemara would be an expensive, and not very enjoyable, luxury to a British fundholder. As an immediate consequence of the expropriation of the landlord's estates, the sale, at reduced prices, of a large number of the country houses of Ireland would follow, and whether sold or not, the depreciation of all property of this description would be enormous. The injury inflicted would be analogous to that sustained by the manufacturer, whose mill was taken at a valuation, but whose manager's office was left upon his hands.

Again, regard must be had to the loss entailed upon every man whose plan of life is unexpectedly overturned. This consideration is especially applicable to those who have invested their money in the purchase of property under the Landed Estates Court. Let us recall for a moment the occasion on which that Court was constituted. The Prime Minister of the Crown, Sir Robert Peel, in moving the second reading of the Act under which the encumbered estates of Ireland were to be brought to the hammer, after describing the benefits which would accrue to the country by their transference to wealthier hands, took advantage of the authority derived from his great position, to expatiate, amid the cheers of the House of Commons, on the peculiar advantage now offered to those who might be induced to invest their capital in the purchase of Irish land. And what was the inducement? An indefeasible parliamentary title to hold and enjoy that property, to the same extent, and under the same

conditions, as similar property is held and enjoyed by their fellow-subjects in other parts of the kingdom. On the strength of these conditions, to which the faith of the nation was publicly pledged, thirty-six millions of money have been devoted to the acquisition of Irish property.* Of course, it is impossible to ascertain under what circumstances the purchase funds were provided, but many lucrative concerns must have been wound up, and many prosperous careers abandoned, for the sake of realising a large portion of the capital required. Is it to be tolerated that investments to such an amount, representing the life-long toil of thousands, consigned to the soil at the express invitation of Parliament, are to be flung back in the faces of men, the dream of whose existence it may have been to acquire a few hundred acres of their native land?

But Mr. Mill, it will be said, proposes, at all events, to allow any prospective increase in the value of properties to enhance the amount of compensation to be awarded. In bare justice he could do no less. But where will the Court be found fit to assess the accruing value of the lands of Ireland? Nay, what tribunal could be really competent to decide on its present amount?

Few calculations are so capricious as those of the land valuator. This fact has been strikingly illustrated by Judge Longfield. Every one must have had practical experience of it. Being anxious to test the accuracy of a recent survey, I recurred to the assistance of two of the best professional valuators in Ireland. On the first town-land they touched, they put a value of nearly 15 per cent. in excess of what the tenantry were paying; on asking the reason, they mentioned certain considerations, which local experience had enabled my agent to discard from the calculation.

Even the actual rent agreed upon between landlord and tenant is but an imperfect guide. The tenantry cultivating

* It is to be observed that these properties have been bought at their *competition* price; many of them probably at a *fancy* price; but only so much of the purchase-money is to be returned as, *in the opinion of the Commissioners*, may represent the *fair* value of the land—a principle likely to lead to a great discrepancy between the original price, and the compensation awarded.

a description of soil really worth 3*l.* an acre, from want of capital or skill, may be incapable of paying a third of that amount for it.

Estimates of *accruing* value must be even more conjectural.

A short time ago a railway, armed with compulsory powers, passed through a very improving portion of my estate. The compensation adjudged to me by the Government arbitrator was far less than the marketable value of the land in question. Had I chosen to stand out about it, I might have obtained a higher price. The property of my adjoining neighbour was assessed at a corresponding figure. He appealed against the valuator's decision, and obtained a considerable increase to the original award. Yet the professional gentleman appointed to adjudicate, undoubtedly did his best to arrive at the truth, and was as competent as anyone could be to decide such questions. But the processes of land valuation are empirical, and consequently inexact. Yet Mr. Mill not only hands over to half a dozen Commissioners the duty of estimating the future value of Irish estates, but would entrust them with the power of revising existing rentals.

It may be said, if the valuation of landed property is such a leap in the dark, the error may be as often in the landlord's favour as against him. Were landed proprietors, as a rule, members of a gambling fraternity, this might be an attractive consideration; but inasmuch as they are, for the most part, sober-minded men, with wives and children, they would hardly put their estates into a lottery on the chance of a certain portion of the inevitable miscalculations proving occasionally in their favour, more especially when an error on the wrong side, even if it only amounted to a shilling an acre, would make a difference of thousands on the realisation of their capital.

But though the material losses, as reckoned in pounds, shillings, and pence, occasioned by the forcible conversion of all the landlords of the country into fundholders, even if conducted on the most equitable principles, would be enormous, they may be considered as nothing in comparison with

the bitter sense of moral injury such an operation would inflict.

There is no possession to which mankind attaches so much value as that of landed property. The passion may be a weakness, but it is universal. In order to indulge it, the best balanced minds will submit to the most unreasonable sacrifices. Considerations of profit, and the ordinary laws regulating investments, are lost sight of where land is concerned. At this moment, I believe, in many parts of England, as much as thirty-five years' purchase has been offered for estates in land; in other words, capitalists, when they invest their money in the purchase of landed property, are content with less than two and a half per cent. If, then, such is the attraction of the mere raw acres to persons who have no retrospective interest in their possession, how are we to measure the value of their estates to those who have inherited them through a long line of predecessors, from the period when the enterprise of the first owner converted a howling wilderness of wood and morass into cornfields and meadows, down to the time when the present proprietor first began to devote his energies to the improvement of the precious inheritance of his house? To talk of compensating such persons as these, by forcing them to take so much Government scrip in exchange for possessions consecrated by such associations, is an insult. To denounce these sentiments as an aristocratic peculiarity is still more unreasonable. They pervade the breast of the yeoman as much as that of the ducal proprietor; nay, the subjection of the Irish tenant to such a passion is the chief excuse alleged for legislating on the Irish land question, though in his case, it is not pretended to be the love of a man for that which is his own, but a longing for what is another's.

Even, therefore, admitting, as I do, that the forcible acquisition by the State of the property of individuals, is, under certain circumstances, justifiable, it is disingenuous to pretend that it is not confiscation. The act of confiscation may be necessary; the operation may be conducted in a manner to obviate in many subordinate cases any pecuniary loss to individuals; but when extended over the area of a whole

kingdom, it is evident, no matter what precaution may be taken, that both the amount of the pecuniary loss and of the moral injury occasioned will be incalculable. When, therefore, an able advocate of Mr. Mill's views asks in the 'Spectator,' 'what is the meaning of this *chattering* about confiscation?' he uses a petulant expression, which is unjustifiable in itself, and quite unworthy of so thoughtful a writer.

But though the disciple discusses these questions with a too complacent fluency, Mr. Mill himself, in graver tones, admits that his measures are 'heroic,' 'revolutionary,' and only to be justified by the emergency which has overtaken us.

Before examining how far Mr. Mill's estimate of that emergency is correct, or whether his proposals would enable us to meet it, it will be well to deal with an abstract consideration he urges in extenuation of his proposals, viz. that in virtue of his intimate communion with the soil, the actual cultivator acquires a moral claim to certain proprietary rights. It is evident, if this theory is correct,—if ownership in land is 'contagious,' the agricultural labourer must be even more liable to such an epidemic than the tenant farmer; if the axiom that 'the man who sows shall reap' is to be taken in its literal sense, the affinity of the labourer to the fee of the land becomes as close as that of the tenant; if the one acquires proprietary rights in addition to his profits, merely because he lives on the farm, the other who spends his life in its cultivation is surely entitled to an analogous benefit in addition to his wages. If a portion of what was originally the dormant fertility of the soil of Ireland be adjudged the property of the 400,000 tenant farmers of Ireland, a far larger share must be allotted to the 600,000 agricultural labourers who helped to evoke it. Nor is it likely that this obvious argument will escape the penetration of those who would have such an interest in its development. There is no very cordial feeling between the Irish farmer and the agricultural labourer, and if the latter finds himself taxed for the purpose of buying out the landlords, he will probably put in his claim to a share of the vacated property. As few conditions are more desperate than that of the

agricultural labourers who supplement *la petite culture*, it will be advisable, when once we are embarked on our revolutionary career, to compel the present tenants of Ireland to surrender a large portion of the coveted soil to their present farm servants. If, as is contended, the intensity of a man's disaffection to the English Government is to be the measure of his title to such a boon, the annals of Fenianism prove distinctly that these last have the better claim.

But Mr. Mill's whole theory of the limited nature of property in land seems to me unsound, except on one of two suppositions, viz. either that the whole agricultural area of the kingdom be farmed by Government agency, for the good of the community, in which case the cultivators are nothing but agricultural labourers, or be let to tenants on terminable leases, in which event the State would merely occupy the position of a great landlord. From the moment that fixity of tenure is introduced into the system, the person on whose behalf that right is created, whether he be the occupier of two acres, or of half a county, acquires an interest in the soil as against his fellow-citizens, practically absolute. Of course the validity of this fixed interest may be made dependent on the fulfilment of any number of specific or statutory conditions: as in the case of the territorial magnate, who pays a head rent to a former owner, or, as in that of Mr. Mill's peasant proprietor holding from the Crown on condition he does not sublet, or, as under the arrangement suggested by Mr. Butt, as long as he cultivates the land properly. In every direction outside of these specific stipulations, the rights of the man possessing a perpetuity interest in the soil are inexpugnable; nor can we conceive of any process, unless that of voluntary contract, whereby any other person can acquire a share of them. This principle holds good, whether the owner be a squire or a peasant, and prevails as completely in Europe and America as in Ireland; if, therefore, full proprietary rights in land are mischievous, the mischief is universal.

But though denouncing these rights in the abstract, it is evident Mr. Mill is only really inclined to quarrel with them when exercised in a particular manner. To the large gentlemen farmers of East Prussia he alludes with indulgence; it

is only when the owner lets his land to a tenant that he cannot speak of him with patience. Let us then enquire whether the creation of tenancies ought really to be regarded as a criminal proceeding, and, if so, how such a practice can be prevented.

Of Mr. Mill's opinion there can be no doubt. In his eyes a landlord is an immoral entity. Because he does not actually labour the land he almost grudges him a share in the produce which he has given the tenant an opportunity of extracting from the soil. This appears to me a very illiberal view. Though the landlord does not share the manual toil of the tenant, the money he gave for the estate (itself perhaps the product of the purchaser's own industry) represents the accumulated labour of many previous generations. It is by reason of that labour expended in the original reclamation of the soil, under the auspices of former owners, that the land has been rendered suitable to the present tenant's purpose. To argue therefore, that, because the owner takes no part in the actual cultivation, he does not contribute to the tenant's enterprise, is as unreasonable as to say that because the shareholders in a mill company leave the management of the concern to a Board of Directors, they are to be discarded as 'drones,' and the Legislature is bound to intervene, and make the working hands the owners of the property.

In opposition to the foregoing argument it has been contended that in the prosecution of his industry the tenant evokes certain latent qualities in the soil which increase its value, and consequently acquires a co-partnership in the land itself. This is a circumstance which may indeed and ought to affect the rent and the duration of the tenure,* but which cannot transfer to the man who rents the temporary use of a field any portion of the proprietary rights of him who bought it. A homely example will illustrate my meaning: it is well known that a meerschaum pipe after it has been smoked is more valuable than it was in its virgin condition; but a person who has hired a meerschaum from another for a month would

* I purposely avoid complicating this discussion by any allusion to the question of compensating tenants for their improvements, as Mr. Mill has himself excluded that topic from his purview.

have no more right to keep it for ever on the plea that his use of it had enhanced its worth, than an Oxford Nimrod could lay claim to one of Mr. Tollett's hacks at the end of the hunting season on the ground that his bold riding had rendered the beast a more accomplished fencer.

Yet this is the principle which Mr. Mill asserts as one of abstract justice, and he denounces as a robber any one who contravenes it.

I have lately let a plot of ground for ninety years to a tenant, who desired to build a marine villa upon it. At the expiration of that period, the future inheritor of the land thus leased will re-enter into possession of it, and I have little doubt that, whether he is a descendant of my own, or one of Mr. Mill's peasant proprietors, he will consider that house his own, though fifty philosophers called him a thief. The equity of the case is patent. Had my tenant chosen to insist on a perpetuity, he would have had to pay a higher rent. Being a sensible man, he calculated that the lower his rent the quicker would he obtain a profit on his expenditure.

But acknowledging, for the sake of argument, that the act of landlordism is a crime, how is it to be prevented in future?

Mr. Mill having once extirpated the plague from Ireland, proposes to prevent its reappearance by a simple act of prohibition. 'For years, for generations perhaps, the new owner must be precluded from letting his land at a competitive rent, or for a terminable period.' The tenure must be permanent and the rent fixed by Government. What is likely to be the practical result of such arrangements? Take one out of the many conceivable contingencies. A peasant proprietor dies, leaving a widow, and a young family. Their only support is the farm, but, from ill health or from want of agricultural skill, the widow feels herself incompetent to conduct an agricultural enterprise. Under ordinary circumstances she would let the farm to some neighbour till her son was grown up. But from such a course she is to be rigorously excluded. No terminable tenures are allowed. Her only alternative is to give up the place for good and all.*

* The above illustration also shows how absurd it would be for Parliament to make even 21 years' leases compulsory. The widow's son, if he were a lad of

She accordingly advertises for a tenant; a dozen competitors present themselves; a Government officer comes down and fixes the future rent of the place,—which we must now suppose to be composed of two elements,—viz., the original rent paid by the deceased tenant, and the additional annual value acquired by the farm from his improvements,—the former being a charge due to the Government, the latter to the widow. But, though unable to receive more than the Parliamentary amount, the widow has the right to choose her tenant. Which of the dozen will she take? Why the man who will pay her down the largest premium for selecting him. The sum total of the arrangement being—the turning of the original occupants out of their property, the re-creation of a petty landlordism, and the imposition of a rack-rent, and of a rack-rent in its worst form, viz., that of a high rent fined down by the payment of a large sum on entry.

It will be said that at all events this latter abuse can be prevented. Any one who knows the difficulty even a landlord has in preventing these surreptitious payments in the north of Ireland would smile at the idea of a Government official endeavouring to suppress a practice which it will be the interest of the entire population to maintain.

But let us follow the case a little further. We have now got a tenant at a rack rent, and a landlord dependant for her bread on the punctual payment of that rent. Supposing the strain of the situation proves too much for the tenant, as it probably would, he will then resort to the well-known processes by which an agricultural catastrophe is deferred: he will scourge his land with flax, he will grow white crops in succession, he will sell part of his stock, and, as a consequence, deprive himself of manure. Year after year, though the rent be paid, the land is gradually growing out of heart. At last even the rent cannot be scraped together, and the widow-landlord unexpectedly finds herself deprived of the sum upon which she was depending for the maintenance of her family, and must take legal proceedings to enable her to re-enter into possession of her land. But this is not the

fifteen or sixteen at his father's death, would under such circumstances be excluded from the possession of his own farm, until he was near forty.

worst. She again tries to let the farm; but the Government officer discovers that, in consequence of the bad treatment it has received at the hands of the last tenant, it is now worth 5*s.* an acre less than it was before.

And here must be noted an element in the case, of paramount importance, but one which is persistently ignored by almost everyone who deals with these questions,—viz., the volatile nature of agricultural fertility. The essayists who discourse so glibly on the relations of landlord and tenant evidently imagine that acres are as indestructible as diamonds, and that, inasmuch as a tenant cannot carry them off in his pocket, his character and conduct while in occupation of a farm must be a matter of indifference to a landlord. But the very opposite is the case. It cannot be too often repeated that the productive power of the soil can be as easily squandered as a handful of guineas. Five years of bad management will reduce the most productive wheat-field to the barrenness of a heath. Mr. Butt had a glimmering of this truth when he proposed that good cultivation should be one of the conditions of every farmer's tenure; and it is evident that it would be the height of injustice to compel the widow whose case we are considering to stand helplessly watching the wasting of her property, merely because her tenant was enabled to keep on paying the rent by adopting a course calculated to ruin her as completely as himself. But if the peasant landlord is to be allowed to evict his peasant tenant, not only for non-payment of rent but for bad cultivation—and such a right is essential to his existence—to what ubiquitous court of appeal is he to resort when he perceives, or thinks he perceives, the first signs of a deteriorated cultivation? It is probable that within a very brief period of this new land settlement a considerable proportion of the original occupiers will have found it convenient, from one cause or another, to devolve their interests on others, under the conditions proposed by Mr. Mill. The community will then be divided into two important classes —peasant landlords and peasant tenants. Is it not evident that, inasmuch as the interests of the landlord will be irreparably injured, the moment there takes place the slightest

lapse from good cultivation on the part of the tenant, the one class will be continually harassing the other by proceedings of a most obnoxious character? And what machinery could be contrived for the purpose of composing these controversies? The wasting of land is not a patent fact, like the dilapidation of house property, easily established by evidence. It is an insidious process, difficult of detection until accomplished. But unless the owner is able to intervene on the appearance of the first suspicious symptoms of bad management, he will be too late; for no matter what damages are adjudged to him, his remedy will lie against a bankrupt. How would it be possible to constitute courts of justice capable of deciding the subtle and insoluble disputes of this nature, which would arise on a large proportion of the half-million farms of Ireland?

Supposing, however, this difficulty were overcome, in what respect would the then condition of affairs be an improvement on the present? You would not have got rid of 'landlordism;' you would only have substituted an innumerable crowd of needy landlords for the present more affluent proprietors. Evictions for nonpayment of rent would be as rife as ever, for the necessities of those to whom the rent was due would preclude them from exercising the indulgence now extended to their tenants by the present proprietors; while dispossession for other causes, such as waste, extravagance, and bad management, would be multiplied far in excess of the small proportion of those which are now effected in Ireland on such accounts.

Even therefore supposing it were possible, which it evidently would not be, to administer the artificial system of checks against rack-rents, subletting and subdivision, which Mr. Mill (though much against his will), is obliged to admit must accompany the establishment of peasant proprietors in Ireland, most of the bad features of the present condition of affairs would continue to exist, while all its advantages, and they are many, would disappear.

Into the project for the surrender of the land of Ireland to the uncontrolled possession of its present occupiers I will not enter, as no one yet, I believe, has had the hardi-

hood to suggest such an arrangement. I will merely observe that if such an operation were to be effected, the laws of the country would have to be left in exactly their present condition; that is to say, land would be bought and sold, hired and let, as the convenience of individuals might dictate; and as in a civilised community contracts must be enforced and debts recovered, the phenomena of rent-collecting and evictions would recur at last as frequently as at present.

In fact, it will be found that when persons exclaim against the tenures and the land laws of Ireland, what they want to see changed is neither the tenures nor the laws, but the relative situation of those affected by them. What they really object to, is not that rent should be recoverable, but that the proportion of those who pay rent, and receive rent, should be reversed. This, of course, is a perfectly reasonable aspiration, and those who share it are entitled to advocate any legitimate process which would be likely to promote their object; but to denounce a state of the law which would be found as necessary then for the protection of the poorest peasant proprietor, as it is now for that of the wealthiest landlord, is illogical.

As a matter of fact, the law, as it stands, with the exception of the right of distress (a right which is now, I believe, seldom exercised), is very indulgent to the tenant, inasmuch as he is practically able to retain possession of his land nine months after he has ceased to pay any rent for it. When therefore some sensationalist enlarges on the cruelty of a *law* which enables a landlord to evict a tenant whose wife is near her confinement, his strictures are hardly to the point, as *les droits du seigneur* never prevailed in Ireland.

But, turning from the economical aspects of Mr. Mill's proposition, let us examine its political bearings.

As there is not the slightest chance that the present proprietors of Ireland will consent, for the sake of the empty gratification of receiving a fixed and precarious rent-charge over a large geographical area, to incur the odium of 'landlordship,' without any of its advantages, we must take it for granted that the future owner of the soil will be the Imperial

Government. But the Government in such a capacity would combine in its own person the two special characteristics of 'landlordism' which everybody agrees in denouncing; it would be an absentee proprietor in the first place, and in the next it would own an estate mortgaged to its utmost value, nay, to beyond its value, even according to Mr. Mill's moderate scheme of compensation. How would it proceed to manage this enormous property? Just like any other absentee landlord. It must have its innumerable staff of agents, bailiffs, lawyers, and rent-collectors. If its tenants neglect to pay their rents, or exhaust the land by bad cultivation, it must resort to the usual processes for the recovery of rent, and the prevention of waste, now adopted by existing landlords. If it wishes to discharge those duties which are acknowledged to belong to the ownership of land—to undertake great works of drainage, to assist its tenantry in the execution of permanent improvements—it must make a descent into the pockets of the British taxpayer, as the revenues of its estates have been alienated to another purpose. If a second time a blight should overspread the 1,000,000 acres now under potatoes in Ireland, the burden of supporting the starving population should fall, not on the rental of the kingdom, as it did in 1846, but on the Consolidated Fund, from which inexhaustible source would also be derived the incomes of the thousand functionaries necessary to the management of a property of 15,000,000 acres.

But a more important question still remains to be encountered. To whose hands is to be confided the superintendence of this gigantic office? Who is to be the head agent of the imperial landlord, and on what principle is the estate to be administered? Are we to have a Board of Catholic, and Protestant, and Presbyterian Estate Commissioners in Dublin, or is a new Secretaryship of State to be created for the purpose? Will Parliament construct an inflexible code of procedure, to be applied with impartial rigour to its defaulting or unskilful dependants, or will it leave a beneficent discretion to its representative? On the first supposition, how shall we prevent the ignorant peasants

of Donegal or Mayo from confounding the harsh acts of the English Legislature in its capacity of landlord with its would-be beneficent attitude of a paternal Government? On the other, how could we entrust the power of forgiving pecuniary obligations, and the enormous influence such a privilege would imply, to any individual or to any Board, more especially when we remember that it could only be exercised through several thousand agents, belonging to every grade of life, who would thus acquire the opportunity of indulging their worst passions, whether of vindictiveness or of cupidity, at the expense of the Irish peasantry? If it is alleged that even now the tenant of a kind proprietor sometimes meets with harsh treatment because he has incurred the animosity of some underling, how will his position be improved by his landlord being rendered still more inaccessible and impersonal?

Having glanced at the moral and economical vices of Mr. Mill's plan, as well as at the practical difficulties in the way of its application, let us try to estimate the benefits for the sake of which we are to submit to the one, and encounter the other.

In Mr. Mill's opinion, two great advantages will ensue :— 1st, a great improvement in the agriculture of Ireland; and 2ndly, the reconciliation of the Irish people to British rule. But Mr. Mill founds his expectations, with regard to the first point, on two assumptions to which many persons will demur: viz. that *la petite culture* is peculiarly suitable to Ireland, and that no agricultural improvements can be expected to take place except under fixity of tenure.

Now, most people will admit that *la petite culture* possesses many excellent characteristics, and, undoubtedly, the large farms of England are unsuitable on many accounts to Ireland. But it does not follow on that account that either extreme need be adopted, and certainly all the evidence tends to show that very small holdings are unsuitable to our climate, as well as to the present social and economical condition of our island. The advocates of *la petite culture* say, and say with justice, that *la petite culture* is most productive. It no doubt has a tendency to increase competition, and consequently to raise rents. In Belgium and elsewhere, *la petite culture* has been

found peculiarly advantageous to the landlords. In Ireland, before the potato failure, the large farmers who, in virtue of their long leases, controlled, in a great measure, the agriculture of Ireland, became so alive to this fact, that they cut up their holdings into infinitesimal plots. Why, then, is it that the present landlords seem inclined to discountenance so easy a method of increasing their rentals, and stimulating production on their estates? Simply because they conscientiously believe that it is a bad system. After all, these persons cannot be so blind to their own interests as wilfully to discard any method of improving their properties. If, then, they all agree in resisting an obvious temptation, it is reasonable to suppose they must have some good reason for doing so.

Into the various practical objections to an extensive introduction of *la petite culture* into Ireland, I will not enter. To some of them I have alluded in a previous publication: but I may mention a fact which has some significance. My tenantry are pretty equally divided into two classes; namely, those holding less than twenty-five acres, and those holding more than that amount. It may be presumed that each class has conducted its operations under nearly identical conditions: but of the total arrears and bad debts which have accumulated on the property during the last twenty years, two-thirds have fallen due on farms below twenty-five acres, and only one-third on farms of a larger size.

Before leaving this part of the subject, I must note, that when Mr. Mill quotes M. de Lavergne as being so strong an advocate of *la petite culture*, and peasant proprietors, he omits to mention that M. de Lavergne points with satisfaction to the fact, in the first place, that one-third of France is possessed by great landholders, while he admits that the cultivation of the vine, requiring close attention and minute handling, renders *la petite culture* more suitable to France than to other countries, and notably to Ireland. The only corresponding crops adapted to the climate of Ireland are flax and potatoes; and it is observable that on small farms the latter of these crops, and many people think the former, has a tendency to assume an undue prominence in the rotation.

At this moment, Ireland, with its 3,500,000 acres of land under crop, grows 1,000,000 acres of potatoes, whereas England, with its 10,000,000 acres, only devotes 500,000 to potatoes. If the farms of Ireland were to be still further subdivided, I have no doubt more potatoes would be grown: whether such a result is desirable, I leave to the reflection of the reader.

We will now turn to Mr. Mill's next assumption; viz. that without *fixity* of tenure, it is useless to expect that persons who have the use of land will display the requisite degree of energy in its cultivation. If Mr. Mill had said that uncertainty of tenure was fatal to agriculture, I should have cordially agreed with him: but it is quite untrue that a fixed tenure is more conducive to production than a terminable one. In Flanders the cultivation is superior to that of Normandy, but in Flanders the majority of cultivators are tenants under short leases of nine, five, or three years, whereas in the north of France most of the land is cultivated by peasants holding in perpetuity. In Scotland and in the north of England, farms are held under leases of thirteen or nineteen years' duration, in the south of England the customary occupation of the tenant is frequently from generation to generation; yet, I believe, it is admitted that the farming of the north of Britain is superior to that of the rest of the kingdom. In Ireland about one-thirteenth of the cultivated area is let in perpetuity, and it is generally admitted that no holdings are in a more miserable condition than those held under that tenure.*

And that this should be so, is only what might be anticipated. Though it be true that when a bit of land is a man's own in perpetuity, he may be expected to lavish his very soul upon it, it is also true that if he can obtain a living out of it without much exertion, he will be apt to indulge his indolence at the expense of his ultimate profit. When, however, the land belongs to some one else who has an interest in watching justice done to it, and when the occupier knows that unless he bestirs himself at once the

* If you happen to observe a very ill-cultivated tract in Ireland, and ask a passer-by how it comes to be in that condition, a common answer is, '*Oh, sir, it's a lase.*'

opportunity of making money which the possession of the farm affords will have slipped way, the community at large has a double guarantee that it will be well cultivated. As, moreover, the profit from a farm is becoming more and more dependent on the amount of money expended on it, it is evident that the cultivator's capital is much more advantageously employed in operations which return 10 or 15 per cent. than if it was locked up in an investment which barely returns 2½ per cent.

On purely economical grounds, therefore, a fixed tenure is likely to prove less advantageous to agriculture than a terminable one.

But Mr. Mill next refers to the social aspect of the case, and insists strongly on fixity of tenure being the only tenure suitable to the genius of the people of Ireland. Such an assertion is not supported by any proofs. So far from fixity of tenure being a national institution, each individual occupier in the Celtic period was moved, on the death of each member of the tribe, from the lands in which he had settled, and Spenser especially complains that an Irishman could not be got to enter into a contract for longer than a year at a time. The truth is, the Irish were originally a pastoral people, and it is only within a later period their attention was turned to agriculture. As long as they remained in their pastoral state, the notion of individual property rather attached to their cattle than to the unappropriated tracts over which the clans claimed a precarious jurisdiction, but as soon as the more settled state of the country rendered cultivation first possible and then necessary, they seem to have adopted pretty much the same opinion about land as the rest of their neighbours.

That the relationship of landlord and tenant is not a grotesque invention of the non-Celtic portion of the nation, is pretty clearly proved by the remarkable celerity with which the pure Celtic occupiers of the last generation turned themselves into landlords, and the rest of their fellow-countrymen into tenants, the moment an opportunity offered. The mere avidity with which the Celt clings to the possession of the soil is no indication that he differs from the Saxon in his

abstract notion of the rights of property; for though perhaps tempered by a little more prudence and a greater power of self-restraint, the Scotch settlers of Ulster are as deeply imbued with the Irish land-hunger as their fellow-countrymen of the south. The real explanation of this phenomenon is a very simple one. Both north and south the dependence of the population for a livelihood was on the cultivation of the soil. Both north and south it was the general custom of the landlords to grant long leases of three lives, or sixty-one years, which frequently was tantamount to a tenure of eighty or ninety years. Under the protection of these prolonged tenures, the people dealt with the land pretty much as they chose. They divided it; they sublet it, they willed it away, they charged it with dowries and annuities; and in proportion as the rise of prices rendered the disseminated interests of the original lessee more and more valuable, his representatives got into the habit of disposing of them, as if they were owners in fee.* When at the expiration of the term these old leases fell in, the complicated superstructure which they had sustained fell with them, and the landlords re-entered upon the management of their estates. But during the lapse of three or four generations of the uncontrolled occupation of land, the real nature of the relationship which had been established by the lease

* The custom of tenant-right in Ulster originated in the same circumstance. Formerly, that is to say, in the middle of the last century, there was no such practice. No one thought of paying more for a farm than what the landlord asked for it. But during the existence of these long leases, the value of the land kept gradually exceeding the original rent. The interest of the lessee became therefore a marketable article, and the subdivisions enjoyed all the advantages of the original tenancy. But, though protected as against the landlord by a lease, the only security each coparcener had, as against his neighbour, was the understanding established between the members of the community that had been developed on the farm. This partook, in the first instance, of a family compact, arrived at between the sons or grandsons of the lessee. As the several subdivisions passed into the occupation of collateral relations or strangers, the integrity of each was guaranteed by a kind of public opinion, which every subtenant on the farm was interested in supporting. When at last the lease fell, these interests were annihilated, but as the landlords generally made no change of tenants, and as the competition still kept up the rent, even above the amount to which the agent's revaluation had raised it, the old habit of selling 'the good-will' continued. On some estates this practice has been discountenanced, on some it has been modified, on others it has been formally recognised.

between the original landlord and tenant was very indistinctly apprehended by the latter's great grandchildren. The land had been theirs as long as any living member of the family recollected, and that was pretty nearly all they cared to know about it. When therefore they felt the novel restraint of the reinstated landlord, and were subjected to an interference which, however necessary, was frequently harshly, if not cruelly, exercised, they naturally resented the assertions of rights whose existence they had never realised. To this circumstance is to be attributed many of those agrarian outrages, and the spirit of resistance to landlord administration, which prevailed for some years after the famine. But, happily, these terrible phenomena have long since disappeared. The tenantry of Ireland have learned to acquiesce in these eternal laws of justice, whose application, though occasionally fraught with hardship to individuals, can never be forcibly interrupted without entailing greater injury on the community at large.

So far, then, from thinking, with Mr. Mill, that fixity of tenure is the only system suitable to the genius of the Irish people, I feel certain that definite but terminable leases will be found as congenial to their natures, and more suitable to the present condition of their agriculture. As for those gentlemen who assert that English notions of equity and the laws of political economy will not do for Ireland, they might as well pretend that the Ten Commandments and the Multiplication Table will not do for Ireland!

In reply to the suggestion that fixity of tenure would restore the old bad state of things in Ireland, Mr. Mill pleads that the moment an Irish peasant attains the status and security of a proprietor, he will abjure the evil traditions of his former condition. There is no doubt much truth in this argument. The lesson taught by the potato failure has not been altogether thrown away even on the tenants. Early marriages are rarer, and many farmers are beginning to see the folly of dividing a twenty-acre tenancy. But these more wholesome modes of thought are far from general, and the utmost vigilance is still required on the part of Irish agents to prevent subletting. In the very last interview I had with

a tenant before quitting home, only ten days ago, I was obliged to resist his eager entreaty to be allowed to halve a fifteen-acre holding; and at a meeting of the Farmers' Club of Cork last year, it was vehemently contended that the Legislature should compel the landlords to permit the subdivision of all farms between the sons of the occupier, should he desire it. If, then, such tendencies are still rampant in places like Cork and Ulster, how can we expect the poor peasants of the west to resist their inherent inclination to keep their children about them?

But if not economically desirable, the installation, it is said, of the actual tenants in the fee of their holdings, would at least render Ireland loyal and contented. I confess I do not see that this is a necessary consequence. Indeed, if the English Government insists with rigour on its rights as a landlord, it is more likely to incur the hatred, than to win the love, of its new dependants. If Irish landlords are really as obnoxious as is asserted, the change will only have realised, on behalf of the Irish nation, the aspiration of the ancient tyrant, that all his enemies might have but one neck. Of course it cannot be denied that if the British nation chooses to make a present of the land to the present 400,000 Irish tenants who now occupy it,—for nothing, or next to nothing, or even at a moderate rent, those 400,000 individuals will be highly pleased, for the simple reason, that any distribution of wealth or property to the indigent is sure to be welcome; but even after England shall have bribed them with so coveted a boon, it is doubtful whether her new mercenaries would eventually separate themselves from whatever anti-English sentiment may be developed in the rest of the community. For it must be remembered that though the population of Ireland is mainly agricultural, the tenant-farmers form only half, and that the smallest half, of the agricultural class. The position of the agricultural labourers will not have been affected by such generosity. Nay, his prospects will have been somewhat deteriorated, as a peasant proprietary, though they cannot do without the labourer at particular seasons of the year, are not likely to prove very liberal employers. The farm-

servant therefore would remain in pretty much the same frame of mind as at present. The population of the towns and villages, the small shopkeeping class, nay, even the sons of the farmers themselves, would have no stronger motives than they have at present to regard Great Britain with affection. Nay, after our country gentlemen, and the numerous classes now in one way or another associated with them, shall have been extirpated, and Ireland has been reduced to a nation of priests and peasants, is it likely that the Imperial policy and the Imperial prestige will become more popular than at present?

In his recent pamphlet, Mr. Mill proposes to introduce into Ireland a great scheme of nonsectarian education. Does he imagine that the ecclesiastical opposition such a measure is destined to arouse will have been conjured by the obliteration of an educated aristocracy, or that the partisans of the Orange and the Green will be better friends, when the moderating influence of the upper classes is withdrawn? *

The Catholic Dean of Limerick has announced a fresh agitation for repeal. What inducements would Mr. Mill's peasant proprietors have to stand aloof from that or any other national movement, however inimical to British interests? Is it not evident that, under such conditions, Ireland would become a greater difficulty to England than ever?

Again, in order to add momentum to his argument, Mr. Mill puts the interests of what he describes as a few hundred landlords in apposition with the happiness of half-a-million of tenants. But this is to misrepresent the issue. Eight years ago there were 8,000 landed proprietors in Ireland, 40 per cent. of whom were Roman Catholics. Since then the Landed Estates Court has been in continuous operation, and I have been informed, on the authority of one of the Judges, that landed property to the amount of 36,000,000*l.* of money has or

* The grand jury of the County of Down, composed exclusively of Protestant gentlemen, has just passed a resolution denouncing Orange and all other party processions: while a popular indignation meeting has been held at Belfast to celebrate the martyrdom of Mr. Johnstone.

is in course of being dealt with under its auspices. The lots disposed of have frequently been less than 100 acres: a great number have been purchased by Roman Catholics. It is therefore probable there are now many more proprietors than in 1860.

But the area of disloyalty to be reclaimed by the distribution of these fee-simples has been equally exaggerated. I am not going to argue whether the fact of so few farmers having been inculpated in the Fenian movement is to be taken as a proof of their freedom from disaffection. I myself believe it is. Although the efforts of the popular press to hound on the tenants against their landlords have done much to create ill-blood between the two classes, though by continually asserting that the soil of Ireland belongs to every man with an O' to his name, whether he has paid for it or not, our agitators have done their best to debauch the moral sense of the people, it is evident that a strong perception of right and justice is still present to their consciences, and that such appeals to their cupidity have been in most instances ineffectual. Be that as it may, to talk of purchasing the loyalty of Ulster would be like giving Sir R. Mayne a sovereign to keep the peace: and one-third of the farmers of Ireland are Ulster men. Again, one-thirteenth of the soil of the island is already let in perpetuity, while a far larger proportion of it is set on terms so advantageous to the tenant as scarcely to render any further concession necessary, even if he proclaimed his allegiance a marketable article.

Before dismissing the inferences sought to be established in the numerical disproportion between landlords and tenants in Ireland, I would suggest to the English reader a pertinent consideration. Mr. W. Baxter has lately published an interesting analysis of the wealth of the empire. For the benefit of those to whose minds figures bring no definite conception, he has prefaced his treatise by a diagram. In that diagram is portrayed, under the form of a gigantic pyramid, the incomes of the few thousand persons who compose the wealthy classes, while beneath them, squeezed out on either side by the incumbent pressure, extends the section repre-

senting the 10,000,000 men who constitute the working classes. If a law of numerical proportion is to regulate the distribution of wealth, such a readjustment will probably not be confined to Ireland. Happily, it is the boast of liberty, religion, and civilisation, that the ægis of the Government should afford equal protection to the accumulations of industry, whether possessed by the few or by the many.

But Mr. Mill does not confine his argument to abstract reasoning; he cites two historical precedents in justification of his proposals—the enfranchisement of copyholds and the land settlement of Stein and Hardenberg. I confess I do not see how either of those instances bears upon the present question. A man lets one of his fields to a tenant for a specific term, under a definite contract. Before he inducted the tenant, the field was his own, as much as his house was his own. Mr. Mill asserts that in declaring the field thenceforth to be the tenant's, and the contract void, he has only imitated what has been already done in Prussia and in England. But in the case of copyholds and in Stein's settlement, the tenant already enjoyed fixity of tenure. All that was done in either of those cases was to transmute, on equitable terms, feudal or personal services into rent or a money payment. But to relieve persons already possessing a permanent interest in their lands from feudal obligations, serfdom, and services incompatible with personal freedom, is a very different thing from making a present to B of a property which the day before he may have hired from A. The only tenures which I have heard of in Ireland at all approaching to those with which Stein and Hardenberg dealt, are those where tenant farmers let cottages and bits of land to their less fortunate neighbours, not for a money rent, but on condition they should do field-work whenever called upon—an arrangement obviously detrimental to the cottier's interest, as he finds himself called upon to gather his neighbour's harvest just at the time it is of vital importance to him to save his own.

Mr. Mill's concluding plea for abolishing the liberty of contract in dealings in land in Ireland, is founded on the assertion that the intensity of competition between the in-

habitants for its possession precludes the tenant from ever becoming a free agent. If such an argument authorises the Legislature to regulate rents and leases, it would absolutely compel it to determine the value of wages and the hours of labour, inasmuch as the competition in the Irish labour market is greater even than in the land market. Why should Parliament interfere on behalf of the more prosperous class, and leave the more numerous and more defenceless portion of the agricultural community at the mercy of their taskmasters?

But why should Parliament interfere at all, when the remedy is in the hands of the tenantry themselves? There are 600,000 tenancies in Ireland. If the rest of the population, instead of trying to indulge their passion for land at the expense of the actual holders, would turn their attention to other pursuits, it is evident that the virulence of competition would be allayed. But it is alleged the policy of consolidation adopted by the landlords is perpetually diminishing the number of farms, so that even if non-occupiers were to abjure their pretensions to share the soil, the farms in the market would always be fewer than the hereditary applicants. But landlords are not consolidating farms to any appreciable extent. Fifteen years ago there were 600,000 and odd tenancies in Ireland, and at this moment there still are upwards of 600,000.

It is said there is so little manufacturing industry in Ireland, that the land must always be the main reliance of the accumulating population, unless they emigrate. But Mr. Mill has himself suggested emigration as the great safeguard against subdivision and subletting on the establishment of his system. If emigration will become desirable then, why should it be denounced now, or if the labourer without employment is compelled to emigrate, why should a farmer's son disdain occasionally to follow his example? There is no class in the community which does not furnish its contingent of recruits to that prosperous and enterprising band of pioneers who are placing an entire hemisphere beneath the laws, the language, and the liberties of England. From a recent return of the Emigration Commis-

sioners it would appear that the number of persons belonging to the professional and educated classes who left the United Kingdom last year considerably exceeded those belonging to the farming classes in Ireland. How inappreciable, then, is the supposed absorption by America of the Irish tenantry! What family in England is there, no matter how highly placed, some of whose members have not been compelled to pass the flower of their existence in India, or at the Antipodes, where they incur far more peril probably in warfare and from sickness than that to which the ordinary emigrant is exposed? Yet who would dream of proposing that the fundamental laws of the country should be changed in order to enable the younger sons of the gentry to remain at their father's fireside?

Moreover, Mr. Mill's plan, instead of encouraging the youth of the country to push their fortunes in the world, would stimulate competition for the land, by rendering its acquisition more attractive to the imagination of the people. He expects, by a simple prohibition of Parliament, to nullify this untoward feature of his project; but, as I have already shown, any attempt to keep down rent by artificial means below its natural level would be abortive. But though Mr. Mill, having taken the land from the proprietors at a certain arbitrary figure, is anxious to maintain it ever after, as it passes from hand to hand, at a corresponding price, his Irish allies have very different notions. What they want is to compel the landlord to surrender his property at a low amount, in order that the tenant may sell it on the first opportunity, at its competitive price; but to compel A to sell his property to B for less by 25 per cent than what C, D, E, F, will be required to give for it, is simply to gratify B at the expense of A, without conferring the slightest benefit on the rest of the alphabet. Under these circumstances, and from other considerations I have already advanced, it is evident that any attempt by Parliament to limit or restrict liberty of contract in Ireland would be out of the question.*

* In his 'Political Economy' Mr. Mill objects to the Ten Hours' Bill, so far as it affects women, on the ground that it would be proper to give women votes, and

It will probably be urged in objection to the contents of the foregoing pages, that the author of them, as an Irish landlord, has merely given expression to the selfish prejudices of his class, that but one side of the question has been stated, and that no weight need be attached to what is the mere special pleading of an advocate. Such observations would be unjust. It would have been far more gratifying to my feelings to have adopted a different line of argument. Could the earnest consideration I have given to this subject have convinced me that it would have been for the ultimate good of the nation to embark in a revolutionary policy, I would have faced the prospect as boldly as any irresponsible writer in the newspapers. As it is, I shall be at all times ready to agree to such a modification of the laws of entail, or of any other enactments prejudicial to occupiers in Ireland, as on examination may be found desirable. I have already expressed an opinion in favour of the adoption of the ballot at Irish elections. I should be prepared to go beyond the late Government in rendering the presumption of the law, in the absence of a written agreement, more favourable to the tenant.* Nay, if it could be really brought home to my understanding and conscience, that the welfare of my tenants is incompatible with my possession of an estate in Ireland, and that their condition would be improved if it were administered by a Government officer, I should be loth to place my private interests in opposition to a great national good.

But neither in the past history of my estate nor in its present condition do I find anything to justify its being subjected to special and revolutionary legislation. When it came originally into my family some two hundred and fifty years ago, the principal portion of it was forest and morass. A tradition still exists that a squirrel could go from one end of it to another without once touching the ground. Under

that the law is not justified in regulating contracts on behalf of those who, being members of a constituency, must be supposed to be in a position to make their own bargains. Surely this principle applies to the Irish tenant farmer. I allude to the point, as the Ten Hours' Bill is often cited as a precedent in favour of the regulation by Parliament of rents and leases.

* I have ventured to subjoin in an Appendix a few paragraphs as to the direction in which alone legislation on the land question seems to me possible. See p. 41.

the auspices of my predecessors, it has been gradually brought into cultivation, and its resources developed. The relation between them and their tenantry, regulated and defined by written contracts from the original settlement, have been always friendly, and I trust as advantageous to the one as to the other. When I came of age, almost the whole of the estate was under lease. At this moment upwards of 5,000 acres are occupied by tenants whose leases date from the end of the last century or from the commencement of this: some of these outstanding leases have been eighty and ninety years in existence. The general cultivation of the district, though improving, is very far from what it should be: for, however desirable they may be, the mere existence of leases does not always produce those magical effects which we are told invariably accompany them. Be that as it may, a different face is gradually being put upon the country, and it is doubtful whether much would be gained by overstimulating the processes of change. At all events, I do not see that even the informing spirit of a clerk from the Board of Works could much improve the aspect of affairs. Of course every landlord must be aware of his many shortcomings; and had Mr. Mill framed his indictment against myself as an individual, I should probably have suffered judgment to go against me by default. But in reviewing these questions, a member of the Legislature must consider them, not as they affect his own case, but as they touch the interests of others; and ready as any one may be to pass sentence on himself, he is more loth to believe that others have placed themselves within the pale of penal legislation.

My nearest neighbour is Mr. Sharman Crawford, the confiscation of whose estate, on the plea of the intolerable relations prevailing between Mr. Crawford's family and their tenants, would probably surprise the people of Rochdale. Another was till very lately the head of a large manufactory in Belfast. Having invested in land the fortune acquired by his father and himself in business, he is promoting the prosperity of a whole neighbourhood by the prudent liberality with which he has inaugurated his career as a landed proprietor. Those who have watched his operations might

doubt the wisdom of forcibly severing his connection with the district in which he has settled. On another side I march with the descendant of the distinguished French exile who introduced the linen trade into Ireland and founded the prosperity of Ulster, while in an opposite direction stretches the prosperous estate of a nobleman, whose ancestor in the last generation became Prime Minister of England. It would certainly require very strong arguments to persuade me that the only hope for the regeneration of Ireland is the extirpation from their estates of such personages as these.

It may be said that though a few just men may exist in one favoured county, their exceptional qualities cannot be allowed to avert the doom of their fellows elsewhere. But some more trustworthy evidence than leading articles and newspaper paragraphs must be produced before the malign effects of landlordism can be considered established. We have heard a great deal of absentees sucking the life-blood of their tenantry, and never spending a penny on their estates. I am no friend to absenteeism, but I cannot forget that before a Committee of the House of Lords, the agent of an absentee landlord stated that, by himself alone, during the last seventeen years, upwards of 142,000*l.* had been spent in improvements by the proprietors he represented. If popular demonstrations are to be taken as any evidence of the feelings of the Irish tenantry, it is to be remarked that scarcely a month has passed during the last year without the newspapers containing an account of some friendly expression of feeling which has passed between a landlord and the occupants of his farms. Lord Fitzwilliam, Lord Powerscourt, Lord Downshire, Lord Waterford, Lord Lansdowne's agent, and many others, have each in turn become the object of these reassuring exhibitions. Even the nobleman whose conduct Mr. Mill thought himself justified in questioning, was able to rebut the accusation, by appealing to a petition he has just received from the very tenants he was alleged to have maltreated, beseeching him not to sever his connection with them. As for the indictments framed by the local press against individuals, though some are probably founded in justice (and I find no fault whatever with newspapers who

bring *particular* instances before the public), their general character is too frequently that of gross and sometimes malicious misrepresentation.

Guided by such indications as these, it is impossible to admit that the relationship between the great proprietors and their tenants is so intolerable as Mr. Mill describes. On the contrary, I believe a very good understanding exists between them. Of course there is not a farmer in the country who would not prefer possessing his land in fee instead of remaining a tenant, or who would not choose a sixty years' lease rather than one for a shorter term, for the same reason that he would prefer five shillings to half-a-crown; but that they are at all disposed to realise such aspirations by illegitimate means, is at once a libel on their understandings and on their moral nature.

Before concluding, there is one important consideration I would submit to those who think with Mr. Mill—What do they imagine is likely to be the practical effect of their proceedings? I do not speak of the jealousy and ill-feeling their language is calculated to excite between different classes in Ireland, of the discouragement they infuse into the hearts of those who have been striving for years to improve the condition of the country, of the stimulus they afford to Fenianism and disaffection, or of the many other subsidiary consequences of their thoughtless language; but what must inevitably be the direct logical conclusion they will have impressed on the minds of the landlords in Ireland. Mr. Mill tells us it is on account of our judicial blindness we do not agree with him. If we adopt his opinions out of deference to his authority, we are bound by the same motive to believe in his predictions. When he assures us that some democratic Parliament of the future will carry his proposals into effect, it will be prudent for us to prepare for the consummation of his views. Every landlord, with a grain of sense in his composition, will at once cease to spend money on an estate which in a few years will belong to some one else. Outstanding arrears will be called in. Those who, like myself, were on the point of enlarging their residences, will refrain from so inappropriate an expenditure. All cottage-building and farm

improvements will be discontinued from one end of the kingdom to the other. But this is not all. Mr. Mill proposes to leave in the owners' hands whatever farms on their estates may happen to be unlet to tenants. If any of us desire to retain possession of any portion of our estates, the only plan will be to serve notices to quit on the occupiers of the lands we wish to secure. It is true those landlords who have granted leases will find themselves precluded from this course; but it is a happy feature of Mr. Mill's proposal, that from first to last it is calculated to inflict the greatest injury on those who have engaged most earnestly in improving the condition of their country. The one individual whose interests will be comparatively unaffected in the general crash, will be the persistent absentee, whose affections have never been entangled in his estate, whose revenues have never contributed to its improvement, and to whom it will be a matter of indifference whether his rents are collected for him free of charge by the Government, or by an agent with a salary of 1,000*l.* a year.

It is in view of these various circumstances that I cannot pursuade myself that such a plan as that proposed by Mr. Mill is either morally right, or calculated to promote the prosperity of Ireland. At all events, the theory he seeks to inculcate is not, to use his own words, 'one of those truths which shine so brilliantly by their own light, that they are assented to by every sane man the moment he understands the words in which they are conveyed,' and therefore probably Parliament will hesitate to adopt what Mr. Mill admits to be a revolutionary policy, for the sake of putting it in practice.

As for myself, I would be rather in my grave than see my country become the theatre of so disastrous an experiment.

In bringing the foregoing hurried observations to a close, I am painfully oppressed by the ungracious character of the task I have undertaken. Mr. Mill justly enjoys the admiration and reverence of his countrymen. Though such a feeling will not trouble his own serenity, his friends will probably resent as presumptuous the freedom I have used in criticising his opinions. I can only plead in mitigation of my offence, that probably there is not one amongst them who

has such a profound respect for the intellectual power and pure integrity of purpose displayed in every word that has been ever said or written by one of the great thinkers of our time. If, in the opinion of others, I may be thought to have gained some little advantage in the present controversy, it will only be for the same reason that a handful of feeble savages are sometimes able to defend the defiles of their native mountains against a powerful European army, —*because they know the country.*

APPENDIX.

I NOW venture to append a few practical suggestions as to the direction in which alone any legislation on the land question seems to me possible. They are extracted from a previous publication of my own on the same subject.

'We now come to the proposal made by the late Government—a proposal dictated by an anxious desire to make as large a concession as possible to the equitable claims of the tenant, and which—with a moderation that did them honour—was accepted, I believe, by the most distinguished of the Liberal members for Ireland, as a settlement of the question. The essence of the arrangement was, to leave the right of contract perfectly free; but to substitute, where no contract existed, a presumption that, within certain limits, any improvement made by the tenant was his property. That such a declaration on the part of the law is no interference with the right of property, cannot be disputed, and it is in some such compromise, if in any, a solution of the Irish land question is to be found.

'The wisdom of Parliament would, probably, have simplified the details of the measure. In my own opinion, the safeguards introduced for the protection of the landlord only confused the principle of the bill. Instead of limiting the tenant's claim for compensation, on account of an uncovenanted improvement, to a maximum of *5l.* per acre, it would be better to leave him entirely unrestricted in his expenditure. Instead of declaring his ownership in that improvement to be annihilated at the expiration of an arbitrary period, the law should presume it to endure as long as the beneficial effects of its operation lasted. Instead of attempting to regulate the relations of the two parties by the ambiguous provisions of a fictitious lease, it would be simpler to reverse the existing presumption of law, that whatever is affixed to the soil belongs to the landlord, and to declare

instead, that any *bonâ fide* improvement, executed by a tenant, outside of a written contract, is the property of the tenant, for which, on surrendering possession of his farm, whether of his own accord or under compulsion, he shall be entitled to receive compensation from his landlord to the amount of the additional value annually accruing from it, to be assessed by arbitration, or recovered in a court of law. It may be objected that such a method of procedure involves an inequitable principle of compensation, and prejudices the interests of the landlord. That I admit. I have already stated that a tenant's *equitable* claim to compensation should be regulated by the original cost of the improvement, and the rate of interest due to such investments ;* but in declaring a presumption *in the absence of a contract*, the law does not pretend to lay down a canon of equity, and the change would be only unfair to the landlord to the same degree and in the same sense as the converse is now unfair to the tenant.

'Under the existing statute, if a yearly occupier of a farm expends 500*l.* in the erection of a house, the law *presumes* the building to belong to the owner of the soil, and he might claim possession the day after it was built. For the law to declare its value to be the property of the tenant as long as that value endures would be even

* Judge Longfield is very explicit on this point. See his Evidence :—

Q. 854. I understand the way in which you estimate improvements is to consider the value they confer upon the land?

A. No. What the improvements cost and their present value.

Q. 855. Not the value conferred upon the land?

A. Certainly not, * * * * because every penny beyond the *natural interest* for the money really proceeds from the land itself, and not from the improvement.

See also Mr. Curling's Evidence to the same effect.

A. 3962. Fourthly, I fully agree with Lord Dufferin, that if, in the increased letting value of his holding, the tenant is given a duration of beneficial occupancy, sufficient to compensate him for his original outlay, with compound interest at 5 per cent., or proportionate pecuniary payment if evicted in the meantime, it is the utmost he can fairly claim ; and that any additional rental value incidental to such improvements may justly be considered as the contribution of the landlord in the latent capabilities of the land in the partnership which has existed between them.

The Roman law, which is the foundation of the agricultural law of Europe, declared 'that when the tenants had derived profits from the improvements (*meliorationes*) sufficient to cover the principal sum and interest of the money laid out upon them, no compensation was to be held due.'—See a Parliamentary Paper on the Roman Agricultural Law, 6th July, 1853.

See also the Report of Mr. Pusey's Committee, paragraphs 10, 11 :—

Par. 10. That its amount (*i. e.* the amount of compensation) is found by valuers, who ascertain the cost of the several improvements, spread that cost over a certain number of years, within which each kind of improvement respectively is supposed to repay itself, and then deduct from that number the time during which the tenant has enjoyed the benefit of the improvement.

Par. 11. That this system is highly beneficial, &c. &c.

a less extravagant presumption. It was never contemplated, however, that a naked presumption of this kind should regulate the ultimate arrangement; but as, in the absence of any specific agreement on the subject, it was necessary to attribute the property to some one, it was naturally assigned to the person with whose estate it had become irrevocably incorporated, in the expectation that the original presumption created by the law would be expressly confirmed, modified, or reversed by a subsequent agreement framed in accordance with the interests of the contracting parties. Unhappily, in Ireland this expectation has been frustrated. Those very persons to whom the unmitigated application of this legal presumption would be most injurious, have been too careless—too confiding, too dependant—to adopt the countervailing precautions which, in other countries, the prudence of mankind has rendered universal. As a consequence, the untempered presumption of the law acts occasionally in Ireland with a severity it was never intended should attach to it. Let us then change that presumption, and impose upon those who are in a better position to do so, the obligation of protecting themselves from whatever consequences its unqualified application would entail;—since the tenants will not insist upon defining their rights by specific agreements, let us make it the interest of the landlords to do so, and as it is the general practice in Ireland for the tenant to execute a considerable proportion of the improvements, let us bring the presumption of the law more into harmony with the actual practice of the country. By this means, a constant statutory bias would be brought to bear in favour of the tenant; he would obtain immunity from the consequences of his own carelessness, and he would invariably profit by the carelessness of his landlord; while, at the same time, the latter would have it in his power to correct the partiality of the law by the provisions of an equitable contract.

'But if this much is conceded to the peculiar position to which subdivision, competition, and an inordinate desire to possess land has reduced the Irish tenant, it would be advisable, both in the interest of the tenant himself and of the landlord, to accompany the foregoing alteration of the law by some subsidiary provision for the registration of every improvement on which it is intended to found a claim for compensation. The necessity for such a precaution is self-evident. Without it no Court would possess trustworthy data for estimating the nature and cost of an alleged improvement made ten or fifteen years before the inquiry into its title to compensation was instituted. Were such matters to be left to oral evidence, and

to the recollection of the individuals interested, a satisfactory settlement could never be attained.* A single exemplification will suffice. Perhaps there is no improvement more common, more deserving of compensation, or requiring a longer term of occupancy to repay itself, than that which consists in quarrying, and in removing or burying the rocks which crop up in a shallow and stony soil; yet the very perfection of the operation destroys all internal evidence of what has been done. The tenant's claim will therefore have to rest on testimony. But long before any question of compensation comes to be raised, the author of the improvement may have died, or he may have handed over his interest in his farm to another man. The estate itself may have been sold, and a new agent and a new landlord have come upon the scene. Yet though all the parties privy to the original arrangement have disappeared, the claim itself would be as rife as ever. How is the matter to be adjudicated in the absence of competent witnesses or trustworthy data? And it is to be remembered that the difficulty of adjusting *bonâ fide* claims of this description, is the true measure of the facilities which would be afforded for establishing unsubstantial and fraudulent pretensions on venal evidence.

'Again, if tenants are to be entitled to get back from their landlord whatever they may choose to lay out on their farms, it is essential that the latter should have the means of acquainting himself with the bill which is being run up against him on various parts of his estate. No one would allow the most trustworthy steward to embark in an unlimited expenditure on his home-farm without looking occasionally at his books; still less would it be advisable to allow a numerous tenantry to incur, on behalf of their landlord, an unknown amount of responsibilities which, however insignificant in each in-

* *Mr. Robt. Purdon, land valuer, on Mr. Griffiths' land valuation*:—

'After a lapse of time it is difficult to determine the just allowance to be made to the tenant for his share of the improvements upon the soil; for there is a great deal in the tillage and drainage of land which does not appear, and it is difficult to ascertain what has been done, without knowing the state which the land was formerly in.'—*Dig. Dev. Com.* 166.

'I should think it more desirable, *if the amount to be laid out in improvements was determined on before the improvements took place; it is difficult to determine it afterwards.* It is frequently impossible to please both parties. The tenant claims more than the landlord will allow; and it is difficult, after a lapse of years, to determine what would be a just and proper sum to allow the tenant. I state that as a general impression which occurs to me.'—*Ib.* p. 166.

'If you see land worth 1*l.* per acre, how could you say what it was worth twenty years before.'—*Ib.* p. 166.

stance, would, in the aggregate, amount to an enormous sum. In some parts of Ireland as many as 4000 or 5000 tenants are located on a single property; and it must be recollected that frequently they have become thus numerous, not through the landlord's neglect, but by the evasion of express covenants against sub-letting. Supposing each tenant to spend 10*l.* a year in some alleged improvement—the straightening of a fence, the repair of a gable end, the erection of a pigstye—at the end of five years the owner of such a property might find himself confronted by a claim to compensation amounting to 200,000*l.** With this contingency in prospect, but without any means of ascertaining the rate at which the burden was accumulating, the landowner would be in a position of such insecurity as would compel him either to reduce his tenantry to more manageable proportions, or else to emasculate their claims by imposing a specific agreement on each tenant to execute *seriatim* every agricultural operation of which his farm was susceptible. It is argued that the very fact of warning the landlord of what was taking place on his estate would tend to discountenance a tenant's improvements. Such an objection can hardly be seriously urged. Under any circumstances an improvement hatched like a conspiracy, and exploded like a mine, would probably lead to the improver being hoisted with his own petard.

'Lastly, it is the interest of the tenantry, even more than that of their landlords, that the investment of capital in improvements should be effected with care and economy, and kept at a *minimum*, as the burden of compensation invariably falls on the incoming tenant. This point was very distinctly noted in the report of Mr. Pusey's Parliamentary Committee; † and it is evident that, if a landlord is to pay a certain sum to an outgoing tenant for his improvements, he will recoup himself, either by clapping an equivalent percentage on the rent of the new tenant, or by accepting a fine equivalent in amount to the sum he has paid away. To stimulate an unnecessary expenditure on any estate, whether in the shape of superfluous farm buildings or other so-called improvements, is only to embarrass the community located upon it with a burden as irredeemable as a na-

* We have also to consider what would be the position of the purchaser of a property with respect to these indefinite and unrecorded liabilities. For the charges in the schedule of incumbrances a due deduction of price has been made in the purchase money, but of these other claims, *and the law expenses arising out of them*, no one could pretend to form an estimate.

† Paragraph 9.—Report of Mr. Pusey's Committee:—'In practice, the compensation agreed to be paid by the landlord to the outgoing tenant is paid by the incoming one.'

tional debt. Yet no surer way to encourage such extravagance can be devised than to allow one set of men to disburse without restraint or inquiry sums of money which they expect another set of men will have to repay. The possibility of the claim being eventually disallowed would be too remote a contingency to influence their conduct, while the chance of the award being in excess of their expenditure would still further neutralize their prudence.

'There is, indeed, one further suggestion I am disposed to hazard, which might go far to diminish discontent and stimulate production amongst the agricultural class. In considering the question of tenants' improvements, it appears to me that a satisfactory settlement for the past is even a greater desideratum than the most favourable arrangement for the future. The legal attainment of this object has been given up by everyone as impracticable; yet if the people of England are really disposed to be as liberal as Mr. Bright's proposal implies, I see no reason why the same principle which has been introduced by Parliament to facilitate the future improvement of Ireland might not be adopted to obliterate all misunderstanding as to the past. No later than last Session a million of money was voted to enable the owners of property in Ireland to erect farm buildings, and labourers' cottages, to drain and to reclaim. If a similar loan were granted on the same terms, or if the present loan were made accessible to those landlords who might be willing to buy up the existing improvements of their tenants, I have no doubt advantage would be taken of the opportunity. Precautions could be adopted by the Board of Works to ascertain that the improvements to be purchased were sufficient security for the sum borrowed. Though the landlord would be responsible for the debt, the interest on it would be repaid, either in whole or in part by the tenant. The tenant would be benefited by receiving a lump sum, which, if judiciously invested in his farm, would return him a profit of 3, 4, or 5 per cent. in excess of the yearly instalment for the discharge of the interest. It might be even advisable for the Board of Works to make these loans conditional on the occupier's receiving a lease.

'By this simple expedient it would become the landlord's interest, not only to recognise the *minimum* claims of his tenant (which in many instances I fear would become almost inappreciable beneath the strict scrutiny of a Court of Equity), but to deal with them in a liberal spirit; while both landlord and tenant would have an inducement to refer all matters in dispute between them to the arbitrament of a Board, in whose decision it would be the policy of

each to acquiesce. A better understanding would be introduced between the two classes; even evictions would lose their most obnoxious characteristic; and, above all, a large sum of money now locked up in homesteads and farm buildings would be immediately transmuted into capital applicable to the cultivation of the soil.'

'*Irish Emigration and Tenure of Land in Ireland.*'

POSTSCRIPT.

THERE is one concluding suggestion I am still almost tempted to throw out. Although compelled to reject, as either unsound or impracticable, some of the schemes which have been advanced for re-modelling the agricultural system of Ireland, I cannot help sympathising with the object their authors have had at heart. On this account I should be only too willing to co-operate in any tentative experiment that might recommend itself to the judgment of reasonable men. There is, undoubtedly, a great desire in the minds of many persons to see the soil of Ireland in the more exclusive possession of the Celtic race. What should hinder those who entertain this sentiment from themselves contributing to the fulfilment of their aspirations? An unlimited supply of land is always in the market, and if only sufficient funds were forthcoming, thousands of acres might be subjected to whatever kind of cultivation or description of tenure might be thought desirable. If Mr. Bright, Mr. Mill, Mr. Fawcett, and others, who are justly entitled to the confidence of the Irish people, would put themselves at the head of the undertaking there is little doubt they would receive moral support and material assistance both from England and America. It is true the project, as a commercial speculation, might not prove remunerative: it is not, however, a question of gain, but of liberality; and if we are to be liberal, it must be with our own money, and not with that of other people. Were a national fund established under the auspices of the above-named gentlemen, estates might be bought in every county in Ireland. By a judicious conversion of thinly populated pasture lands into *mixed* farms, the competition for land in other parts of Ireland might be allayed. The new tenants of the association might be gratified either with leases or with more permanent tenures, as might be thought advisable. Money might be borrowed from Government under the late Act, and improvements effected on a liberal scale. Every well-wisher to Ireland, in every

part of the world, could be invited to assist in the beneficent undertaking. The Irish nationalists in America, instead of wasting their money in baleful endeavours to promote rebellion, would have an opportunity of acquiring possession of the soil, without the necessity of making an armed descent upon it. Every servant girl in the States that now devotes her earnings to the support of the Fenian organisation might help to redeem her native land, and herself acquire proprietory rights in Ireland, at the same time she contributed to the establishment of her fellow-countrymen at home in the permanent occupation of the soil.

Should those who talk so largely on the Irish land question be really prepared to encounter the risk of pecuniary loss, and to make personal sacrifices in an endeavour to ameliorate the condition of affairs, I, for one, would be most ready to associate myself with them in so honourable an undertaking.

LONDON: PRINTED BY
SPOTTISWOODE AND CO., NEW-STREET SQUARE
AND PARLIAMENT STREET

00027545

Digitized with financial assistance from the
Government of Maharashtra
on 26 June, 2018